



News

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FOR IMMEDIATE RELEASE
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BLM issues Recordable Disclaimer for Klutina River and Klutina Lake

Anchorage – Bureau of Land Management (BLM) Alaska State Director Henri Bisson signed a disclaimer of interest today November 9, 2004 stating the federal government has no valid interest to approximately thirty-five (35) miles of riverbed underlying the navigable waters of Klutina River and approximately 14,080 acres of lakebed underlying Klutina Lake. On Sept.3, 2004, Mr. Bisson signed the decision to issue the disclaimer of interest acknowledging the federal government does not have an in the submerged lands. The decision was not appealed.

At the time of statehood, title to unreserved lands underlying navigable waters vested with the State under the Equal Footing Doctrine and the Submerged Lands Act of 1953. The State of Alaska asserted that the Klutina River and Lake were navigable and as such, the ownership of the submerged lands automatically passed to the State on January 3, 1959. BLM analyzed the evidence submitted by the State and prepared a summary report on the relevant facts for public review. The report affirmed previous BLM navigability determinations made in conjunction with conveyance actions.

In 1976, Congress gave the Interior Department discretionary authority under Section 315 of the Federal Land Policy and Management Act to issue recordable disclaimers of interest. Disclaimers of interest may be used to remove a cloud, or a perceived cloud, on a title when a determination has been made that such lands are not lands of the United States and the United States does not hold a valid interest in those lands. A recordable disclaimer of interest is a document that affirms the United States does not claim an interest in specific lands – it is prepared in such a way that will meet local requirements so that it may be “recorded” – hence the “recordable disclaimer of interest”.

For more information, please visit the BLM website at <http://www.ak.blm.gov>.

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